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RECEIVED
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July 27, 2011

VIA HAND DELIVERY

Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Securities and Exchange Commission v. Compania Internacional Financiera S.A., et al.*
Case No. 11 Civ. 4904 (DLC)

Dear Judge Cote:

We write respectfully to request permission to deliver to the Court, and serve on the SEC, by 4 p.m. today, the following documents: 1) amended proposed findings of fact and conclusions of law, 2) the declaration of Kyle Taylor containing excerpts of the deposition of Vincent de Cannière not designated by the SEC, and 3) a one page synopsis of Mr. de Cannière's deposition testimony. The reason for the delay is that the SEC, due to an oversight, did not serve us with a copy of its designations of Mr. de Cannière's testimony until 7:42 a.m. today. While the SEC this morning put into the record significant portions of the transcript, they also omitted certain facts which will be material to demonstrate that SEC cannot meet its burden of demonstrating a likelihood success on the merits.

Chartwell respectfully submits these additional excerpts should be considered by the Court for two separate reasons. First, they offered pursuant to the rule of completeness. Fed. R. Evid. 106. Second, they are offered as an exception to the hearsay rule pursuant to Fed. R. Evid. 804. After yesterday's conference, we consulted with Mr. de Cannière, the principal of Chartwell, regarding his ability to travel to the United States. As we had previously represented to the SEC, Mr. de

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Cannièrè does need a visa to travel to the United States. Mr. de Cannièrè has a machine-readable Swiss passport issued on April 24, 2008. Mr. de Cannièrè's passport is not a biometric passport. According the visa requirements for Swiss citizens listed on the State Department website, Swiss citizens are eligible for the visa waiver program only if they possess a biometric passport or a machine-readable passport issued prior to October 26, 2006. The information can be found at http://bern.usembassy.gov/niv_waiver_program.html. Mr. de Cannièrè's travel agent has informed him that it would take approximately three months for him to obtain either a new biometric Swiss passport or a visa from the United States.

Because Mr. de Cannièrè cannot travel to the United States for the hearing, he is "unavailable" within the meaning of Fed. R. Evid. 804(a). Mr. de Cannièrè's deposition testimony in this proceeding, taken for a full day by the SEC Monday in London, is therefore not excluded by the hearsay rule. Fed. R. Evid 804(b)(1).

For the reasons stated above, Chartwell respectfully requests permission to submit by 4 p.m. today the small amount of additional deposition testimony for the Court's consideration on this motion.

Respectfully,



Marc L. Greenwald

*The SEC shall be permitted
to object. The request to submit
is Granted.*

Denise Cote

July 27, 2011

cc: All counsel of record (via email)